

**DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY**

DEPARTMENTAL PERSONNEL MANUAL SYSTEM

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SUBJECT: Acquired Immune Deficiency Syndrome
(AIDS) in the Workplace - DOT Policy

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The Department of Transportation (DOT) recognizes that AIDS raises a number of health, employment, legal, and economic issues for all employees in the workplace. It is crucial for all employees to understand that AIDS, while it is an infectious and incurable disease, is not transmitted through casual contact in a work environment, or through shaking hands, sneezing, coughing, eating foods prepared by an AIDS victim, or by sharing telephones or other office equipment. In addition, employees must be advised as to the nature of the disease and that it can be avoided, and its spread stopped, through the avoidance of certain high-risk behavior.

There has been some evidence of the leveling off of the spread of AIDS in the United States as the result of extensive public education. It is, therefore, in the area of education about AIDS that we must concentrate our efforts. This would include information about the nature of AIDS, its causes and means of prevention, and the rights of employees who have AIDS and the responsibilities of co-workers of AIDS-infected employees.

The DOT policy on AIDS consists of four major principles:

- o DOT employees who are infected with the AIDS virus will be treated with compassion and understanding. AIDS will be treated the same as other life-threatening illnesses for purposes of such employee benefits as health and life insurance, leave, and disability benefits.
- o The dissemination of information to DOT employees about AIDS in general, and AIDS in the workplace in particular, is of critical importance. This information will be aimed at showing:
 - There is no evidence that the AIDS virus can be transmitted in ordinary work or social environments.

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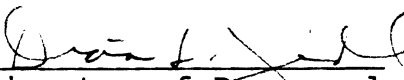
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- There is no basis for supervisors or co-workers to be unwilling to work with or near an AIDS-infected employee for fear of contracting AIDS.
 - AIDS can be stopped through the avoidance of high-risk behavior, i.e., sexual contact with HIV-infected individuals and the sharing of needles by intravenous drug users.
 - Counselling for both employees with AIDS and co-workers of AIDS victims is available through Employee Assistance Programs.
- o AIDS is considered a handicapping condition, and the medical condition of employees with AIDS may be sufficiently disabling to entitle the employees to be considered for reasonable accommodation, where they are medically able to perform, and do not pose a danger to their own health or safety, or that of other employees. Determinations as to what is a reasonable accommodation, whether an employee is able to perform, or whether they pose a safety or health threat to themselves or others, will be made in the same manner as with any other serious medical condition.
 - o All medical information made available to managers and supervisors about an employee's health with respect to AIDS or any of its related conditions will be treated with strict confidentiality unless the employee authorizes disclosure of this information.

FPM Bulletin 792-42 sets forth the Office of Personnel Management's (OPM) Guidelines for AIDS Information and Education for Personnel Management Issues. The extensive information presented, especially with respect to employee rights and benefits and sources of training materials and information on AIDS, should be used by operating administrations in carrying out DOT's policy of providing training and guidance about AIDS to as many employees as possible. The use of on-site training, informational memoranda, and the distribution of literature on AIDS to employees are some examples of the types of activities that can be undertaken to carry out DOT's policy.

Further guidance on this policy may be provided as additional information and materials become available. Should you have any questions or suggestions, please do not hesitate to contact Richard Fein or Zee Grant of our Labor and Employee Relations

staff. They can be reached on (FTS) 366-9440. We would also like to hear from you about initiatives you have taken so that we can share these ideas with OPM, which is serving as a clearing-house on AIDS programs being carried out by Federal agencies, and other operating administrations in the Department.


Director of Personnel